

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)	
)	
Former Nextel Communications, Inc.)	WT Docket No. 06-169
Upper 700 MHz Guard Band Licenses)	
and Revisions to Part 27 of the)	
Commission's Rules)	
)	
Development of Operational, Technical)	WT Docket No. 96-86
And Spectrum Requirements for Meeting)	
Federal, State and Local Public Safety)	
Communications Requirements Through)	
the Year 2010)	

**From the Commonwealth of Virginia
for Submission of Comments to NPRM (FCC 06-133)**

On the 8th of September, 2006, the Commission released the instant Notice of Proposed Rule Making (NPRM). This NPRM requested comment on several issues of critical importance to public safety in our region. The Commonwealth of Virginia will comment on specific referenced items within the NPRM.

The Commonwealth of Virginia (COVA) agrees in part and disagrees in part with the Commission's tentative conclusion per paragraph 17, 'that it would not be appropriate to adopt any proposal that entails a shift in the narrowband channels within the public safety band unless two issues—the cost of reprogramming existing public safety radios and international border coordination—are resolved expeditiously.' COVA agrees to the extent that a shift in the narrowband channels would be disruptive and not be in the best interest to public safety.

Deployment of and significant investment in 700 MHz has already begun within the COVA as well as other states or municipalities/cities around the United States. Additionally extensive State, Regional, and Local short & long range planning has been invested with many countless quantities of time; again both within the COVA borders as well as beyond our borders.

COVA disagrees with the Commission to the inference 'the cost of reprogramming existing public safety radios'...'are resolved expeditiously.' History has shown the rebanding public safety spectrum is not expeditious and is not resolved simplistically as portrayed in the rebanding proposals, pertinent to this NPRM. Public Safety does not need another reband, especially since it will take some time for public safety to fully recover from the current/ongoing 800 MHz reband.

The Commonwealth does not oppose any increase of additional spectrum, however we would support giving the 700 MHz Regional Planning Committees (RPCs) the flexibility to deploy either wideband or broadband or a combination of the two technologies within a Region, based on the needs of the public safety agencies within that Region.

In summary, COVA supports the idea of maintaining the current 700 MHz public safety spectrum structure while also advocating additional broadband public safety spectrum use to the extent that it does not conflict with current assignments.

Respectfully Submitted,

20 October 2006

